

1 **CHRISTENSEN JAMES & MARTIN, CHTD.**  
 2 Kevin B. Christensen, Esq. (175)  
 3 Wesley J. Smith, Esq. (11871)  
 4 Kevin B. Archibald, Esq. (13817)  
 5 7440 W. Sahara Avenue  
 6 Las Vegas, Nevada 89117  
 Telephone: (702) 255-1718  
 Facsimile: (702) 255-0871  
 kbc@cjmlv.com, wes@cjmlv.com, kba@cjmlv.com,  
*Attorneys for Board of Trustees of UNITE HERE*  
*Health, et al.*

7 **UNITED STATES DISTRICT COURT**  
 8 **DISTRICT OF NEVADA**

9 BOARD OF TRUSTEES OF UNITE HERE  
 10 HEALTH, *et al.*,

CASE NO.: 2:23-cv-00789-GMN-DJA

11 Plaintiffs,

**STIPULATION AND ORDER FOR**  
**DISMISSAL WITH PREJUDICE**

12 vs.

13 BACON NATION LV, LLC, *et al.*,

14 Defendants.

15 The Plaintiffs, the Board of Trustees of UNITE HERE Health, *et al.* (collectively, the  
 16 “Plaintiffs”), and Defendant Circa Hospitality Group II, LLC (“CHG”), each acting by and  
 17 through their undersigned counsel, hereby stipulate and agree pursuant to Fed. R. Civ. P.  
 18 41(a)(1)(A)(ii) that:

19 WHEREAS, the Plaintiffs, CHG, Bacon Nation LV, LLC (“Bacon Nation”) (CHG and  
 20 Bacon Nation collectively, the “Defendants”) and Abraham Taylor (“Mr. Taylor”) and Greg  
 21 Costello (“Mr. Costello”), as Members of Bacon Nation, entered into a Settlement Agreement,  
 22 Stipulation and Consent for Entry of Judgment by Confession (“SOE”) and Judgment by  
 23 Confession (“Judgment”) to resolve claims asserted by Plaintiffs in this Case, whereby they  
 24 agreed that: (i) the Defendants, Mr. Taylor and Mr. Costello would pay Plaintiffs’ claims over a  
 25 period of twelve (12) months; (ii) the Defendants, Mr. Taylor and Mr. Costello would timely  
 26 and accurately submit Remittance Reports and payments of any and all Fringe Benefit  
 27 Contributions to the Plaintiffs on a monthly basis; and (iii) the SOE and Judgment would be

1 held by the Plaintiffs in trust so long as the Defendants, Mr. Taylor and Mr. Costello fulfill  
 2 their settlement and payment plan obligations outlined in the Settlement Agreement and SOE;

3 WHEREAS, Defendants, Mr. Taylor and Mr. Costello have fulfilled their obligations  
 4 under the terms of the Settlement Agreement and SOE, subject to Plaintiffs' right to audit  
 5 Defendants' payroll and related records, and the Judgment was neither filed nor entered by the  
 6 Court;

7 NOW, THEREFORE, all claims asserted in this Case shall be and are hereby dismissed  
 8 with prejudice, each party to bear its own attorney's fees and costs, except as expressly agreed  
 9 between the Plaintiffs and Defendants in the Settlement Agreement and SOE.

10 **CHRISTENSEN JAMES & MARTIN, CHTD.**

11 By: Kevin B. Archibald  
 Kevin B. Archibald, Esq. (NV Bar 13817)  
 12 7440 W. Sahara Avenue  
 Las Vegas, Nevada 89117  
 Email: kba@cjmlv.com  
 13 *Attorneys for Plaintiffs Board of Trustees  
 of UNITE HERE Health, et al.*

14 DATED: December 6, 2024

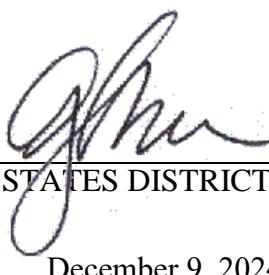
15 **DICKINSON WRIGHT PLLC**

16 By: Cynthia L. Alexander  
 Cynthia L. Alexander (NV Bar 6718)  
 17 Kerry E. Kleiman, Esq. (NV Bar 14071)  
 3883 Howard Hughes Pkwy., Ste. 800  
 Las Vegas, NV 89169  
 Email: calexander@dickinsonwright.com  
 Email: kkleiman@dickinson-wright.com  
 18 *Attorneys for Defendant Circa Hospitality  
 Group II, LLC*

19 DATED: December 6, 2024

20 **ORDER**

21 **IT IS SO ORDERED.**

22   
 23 UNITED STATES DISTRICT COURT JUDGE

24 DATED: December 9, 2024




---

**RE: EXTERNAL: Re: Board of Trustees UNITE HERE Health, et al. v. Bacon Nation LV, LLC, et al.**

---

**From** Cynthia L. Alexander <CAlexander@dickinson wright.com>

**Date** Fri 12/6/2024 4:48 PM

**To** Kevin Archibald <kba@cjmlv.com>; Kerry E. Kleiman (any traditional pronouns) <KKleiman@dickinson wright.com>

**Cc** Jennifer J. Smith <JJSmith@dickinson wright.com>

Hey Kevin,

We have no changes to the Stipulation to Dismiss. You may affix my electronic signature.

 **Cynthia L. Alexander**  
 Member and Deputy CEO - Innovation  
 O:702-550-4422  
 C:702-497-0738  
DICKINSON WRIGHT PLLC [CAlexander@dickinsonwright.com](mailto:CAlexander@dickinsonwright.com)

---

3883 Howard Hughes Parkway, Suite 800, Las Vegas, NV 89169

**From:** Kevin Archibald <kba@cjmlv.com>

**Sent:** Friday, December 6, 2024 10:03 AM

**To:** Cynthia L. Alexander <CAlexander@dickinson-wright.com>; Kerry E. Kleiman (any traditional pronouns) <KKleiman@dickinson-wright.com>

**Cc:** Jennifer J. Smith <JJSmith@dickinson-wright.com>

**Subject:** Re: EXTERNAL: Re: Board of Trustees UNITE HERE Health, et al. v. Bacon Nation LV, LLC, et al.

Cynthia,

Following up on the Stipulation to Dismiss, again. Please advise if you have any changes. If not, please confirm that I may affix your (or Kerry's) electronic signature and file the Stipulation with the Court.

Thank you,  
 Kevin Archibald

--

Kevin B. Archibald, Esq.

Christensen James & Martin, Chtd.

7440 W. Sahara Ave.

Las Vegas, NV 89117

Tel: (702) 255-1718

Fax: (702) 255-0871